

Retired Law Enforcement Officer Concealed Carry

Under new federal law, a “qualified retired law enforcement officer” may carry a concealed firearm¹ without a state-issued concealed weapons permit only if that individual meets ALL of the following criteria.

1. The officer retired in good standing from service with a public agency as a law enforcement officer (other than for reasons of mental instability);
2. Before retirement the officer was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or incarceration of any person for any violation of law AND had statutory powers of arrest;
3. Before retirement, the officer was regularly employed as a law enforcement officer for at least 15 years OR retired from service because of a service-connected disability;
4. The officer is eligible for retirement benefits from the agency;
5. The officer has met, during the last 12 months (at the officer’s own cost) either North Dakota standards² or the law enforcement agency’s standards for training and qualification for active law enforcement officers to carry firearms;
6. The officer has a photo identification issued by the governmental agency from which the individual retired as a law enforcement officer³; and
7. The officer is not under the influence of alcohol or drugs.

However, federal law does not authorize an individual to carry a concealed firearm on a state or local property, installation, building, base, or park if prohibited or restricted by state or local law. State law prohibits firearms and dangerous weapons (concealed or otherwise) in liquor establishments, gaming sites and at any public gathering, including: sporting events, schools or school functions, churches or church functions, political rallies or functions, musical concerts, publicly owned or operated buildings, and publicly owned parks where hunting is not allowed.

Compliance with the federal law may not allow a qualified retired law enforcement officer to carry any concealed firearm on private property if a person prohibits or restricts the possession of concealed firearms on their property.

Retired North Dakota officers may carry a concealed firearm at a public gathering if the officer has a North Dakota concealed weapon permit and meets the POST Board’s firearm proficiency standards.

¹ The law applies only to firearms. For all other weapons (e.g. knives), a concealed weapons permit must be obtained.

² Only a North Dakota resident can obtain the state certification.

³ Federal law does not require the local agency to issue the photo identification.